



THE PRESIDENT

TO: Professor John G. Boswell
FROM: Stephen J. Trachtenberg
SUBJECT: Faculty Senate Resolutions/1996-97
DATE: June 19, 1997

I have your memorandum of April 18 providing a tabulation of resolutions acted upon by the Faculty Senate during its 1996-97 Session. As you requested, I am pleased to attach the response of the Administration to these resolutions for inclusion in the Faculty Senate Annual Report.

SJT/hdi
Attachments





FACULTY SENATE

MEMORANDUM

April 18, 1997

TO: Stephen Joel Trachtenberg, President
FROM: John G. Boswell, Chair
Executive Committee of the Faculty Senate

On behalf of the Executive Committee, I am enclosing a tabulation of resolutions acted upon by the Faculty Senate during its 1996-97 Session.

We would appreciate receiving the response of the Administration to these resolutions for inclusion in the Annual Report of the Executive Committee of the Faculty Senate for the 1996-97 Session.

Thank you.

Enclosures

Resolutions 1996-97 Session

Resolution No.	Date of Meeting	Title of Resolution	Action	Response of administration
96/ 1	5/10/96	A Resolution on Required Course Information Sheets	5/10/96 Adopted, as amended	Accepted
96/2	5/10/96	A Resolution to Amend a Previously Adopted Resolution (95/2) on Faculty Leave (amends <u>Code</u>)	5/10/96 Adopted, as amended	Approved by the Board on May 17, 1996
96/3	5/10/96	A Resolution to Amend the <u>Faculty Code</u> to Alter the Date of Notification of Changes in Salary	5/10/96 Adopted, as amended	Approved by the Board on May 17, 1996
96/4	5/10/96	A Resolution of Appreciation for John A. Morgan, Jr.	5/10/96 Adopted by acclamation	Accepted
96/5	5/10/96	A Resolution Commending Achievement of Faculty Senate Goal	5/10/96 Adopted by acclamation	Noted with humility
96/6	10/11/96	A Resolution to Establish a Special Committee to Review Grievance Procedures at The George Washington University	10/11/96 Adopted	Received
96/7	11/15/96	A Resolution to Commend the President and the Board of Trustees on Renovations of Academic Space	11/15/96 Adopted	Noted with humility

Resolutions 1996-97 Session

Resolution No.	Date of Meeting	Title of Resolution	Action	Response of administration
96/8	11/15/96	A Resolution to Discharge the Joint Committee to Establish an All-Encompassing University-Wide Policy on Conflict of Interest and to Establish and Elect a Special Faculty Committee to Develop a Conflict of Interest Policy for Faculty Members at The George Washington University	11/15/96 Adopted, as amended	Noted
96/9	2/14/97	A Resolution to Secure the Independence and Impartiality of Members of the Senate and Elected Senate Committees in the Performance of their Responsibilities under the <u>Faculty Code</u>	2/14/97 Adopted	Noted
96/10	4/11/97	A Resolution Commending the Women's Basketball Team	4/11/97 Adopted	Accepted
96/11	4/11/97	A Resolution Opposing Selective Reductions in Salary of Tenured Faculty	4/11/97 Adopted	Please see attached response to 96/11
96/12	4/11/97	A Resolution to Circumscribe Leaves of Absence Taken in a Contiguous Seven-Year Period (Substitute)	4/11/97 Tabled	To be attended to in the coming academic year

Resolutions 1996-97 Session

Resolution No.	Date of Meeting	Title of Resolution	Action	Response of administration
96/13	4/11/97	A Resolution on the Establishment of a School of Public Health and Health Services	4/11/97 Adopted	Please see attached response to 96/13
96/14	4/11/97	A Resolution on "Schools Within Schools"	4/11/97 Adopted	Please see attached response to 96/14
96/15	4/11/97	A Resolution of Appreciation for Professor John G. Boswell	4/11/97 Adopted by Acclamation	Accepted

Response of Administration to Resolution No. 96/11: *A Resolution Opposing Selective Reductions in Salary of Tenured Faculty*

In the governance of a university, it is important that personnel actions, to the extent possible, proceed not only with fairness but also with a perception of fairness. To the extent that this may have been inadvertently inadequately attended to in the case at hand, the administration is keen to mend the oversight. Therefore, we have instructed the Medical Center to revisit their deliberations and to take all appropriate steps to proceed in accordance with this Resolution.

Response of Administration to Resolution No. 96/13: *A Resolution on the Establishment of a School of Public Health and Health Services*

The administration wishes to maintain the governance structure that has served The George Washington University well -- a governance structure which includes participation in the Faculty Senate by all sectors of the University, whether classically academic or professionally oriented. We are a stronger University for having under the jurisdiction of a single Faculty Senate not only schools of arts and sciences but also law and medicine. It is, however, imperative that we recognize the dynamism in certain areas of the University and, most particularly, the almost revolutionary events impacting on the health professions as we go forward, so as not to inhibit the capacity of the health center to remain bonded with the rest of the University. The resolution regarding the School of Public Health and Health Sciences raises questions that cannot be appropriately dealt with by a simple yes or no reply. Negotiations between the Medical Center and the Senate in search of a mutually acceptable compromise have, despite good faith efforts on all sides, thus far been unsuccessful. The administration proposes to invite third party participation to assist in seeking an acceptable resolution. In the coming year, we are going to ask that a member of the Board of Trustees chair a committee with representatives from the Medical Center and the Faculty Senate Executive Committee. This committee will be charged with the responsibility of researching the most contemporary status of medical center faculty governance relations with university senates at peer institutions and will use this information to inform a recommendation to the administration for a substantive reply to Resolution No. 96/13.

**Response of Administration to Resolution No. 96/14: A Resolution on
"Schools Within Schools"**

Section 9A (page 16) of the *Faculty Code* reads, in pertinent part: *The Faculty Senate or an appropriate committee thereof is entitled to an opportunity to make recommendations on proposals concerning the creation . . . of schools . . . of the University.* The administration acknowledges its responsibility to share with the Faculty Senate before the creation of a School. The *Faculty Code* contemplates that a School is an "autonomous" academic entity of the University which has a distinct faculty, with all that that implies, and which, in the normal course of events, is represented as a School in the Faculty Senate. One may reasonably distinguish the "creation" of Schools (such as the School of Public Health and Health Sciences) from the mere designation of subordinate units within already existing Schools as "schools" that do not meet the criteria for review anticipated by the *Faculty Code*. There are Schools and there are schools. So, for example, it seems patent that the *Faculty Code* does not require consultation when an "autonomous" School, such as the Columbian School, decides through proper application of the governance process of that School itself and the university administration that it simply wishes to designate a component of the existing School as a subordinate school (as in the School of Media and Public Affairs). This assumes no consequential changes accompany the denomination (see: *In re Snook*, 2 Hilt., N.Y. 566). Under these circumstances, the faculty in the school continue to relate to the Faculty Senate in exactly the same way as they would if they were a department or other subordinate unit within the School, which they are. As regards the Senate, the change is one only of nomenclature--not of substance. It is seamless and invisible to the *Faculty Code*. (Just as the change in name by the National Law Center to The George Washington University Law School last year inspired no Faculty Senate consultation.)

That said, the administration recognizes the classic wisdom of consultation with the Senate whenever sound in academic matters and takes this opportunity to express its intention to continue in the future as it has in the past, pursuant to common law campus traditions, if not statutory requirement, with appropriate collegial decision-making. Further, in response to a particular concern of Resolution 96/14, the administration will advise the Graduate School of Political Management and the School of Media and Public Affairs, both subordinate units (in the nature of departments in the Columbian School), to indicate on letterhead and in material published in University bulletins and elsewhere that they are respectively subdivisions of the Columbian School.

Resolutions 1996-97 Session

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[Any inquiries about this resolution should be directed to Professor Diane Brewer, Chair, Educational Policy Committee, Ext.47167.]

A RESOLUTION ON REQUIRED COURSE INFORMATION SHEETS (96/1)

WHEREAS, communication between faculty and students is essential to the educational process; and

WHEREAS, faculty should inform students of the requirements and expectations for a course; and

WHEREAS, faculty should inform students at the beginning of a course concerning the basis of grading standards for that course; and

WHEREAS, faculty should inform students of their office hours and other means of communication; and

WHEREAS, presently not all faculty members distribute a written course information sheet at the beginning of each semester,
THEREFORE

BE IT RESOLVED, that all courses taught at The George Washington University should provide students at the beginning of the semester with written information sheets including the following: name, office address, phone number and/or e-mail address, office hours, course description, course requirements, and basis of grading.

BE IT FURTHER RESOLVED, that these documents should be filed annually with the Department or Dean's Office.

Educational Policy Committee
March 29, 1996

Adopted, as amended, May 10, 1996

FACULTY SENATE
Committee on Appointments, Salary, Promotion Policies (ASPP)

SPECIAL REPORT

April 16, 1996

1. This Special Report accompanies and is intended to explain some of the background of our proposed RESOLUTION TO AMEND A PREVIOUSLY ADOPTED RESOLUTION (95/2) WITH RESPECT TO LEAVE, submitted for consideration by the Faculty Senate.
2. This issue originally arose to prominence in April 1993, when the Vice President for Academic Affairs asked the Executive Committee of the Faculty Senate for advice in dealing with a faculty member's request for partial leave coupled with an extension of the tenure-probationary period. The request noted that such a partial leave and extension were potentially available under a "Family Care Leave" policy in effect at Georgetown University. The Executive Committee offered its opinion that an extension of the tenure-probation period would not be permitted under the existing provisions of the Faculty Code but offered to study the desirability of adopting such a policy. Vice President French subsequently denied the individual's request but asked the Senate to proceed with consideration of "whether the Georgetown policy or some modification of it would constitute a model that ought to be adopted at GW" [Memorandum dated May 3, 1993, to Lilien Robinson, Chair, Executive Committee of the Faculty Senate].
3. The ASPP Committee has gathered information on existing policies elsewhere and a consensus has emerged as to the desirability of developing such a policy, on grounds of basic fairness, especially to women faculty in childbearing years and others with similarly serious disruptive time demands. While it has been suggested that the University may be legally required to offer policies along these lines, the scope of the entitlements created by the federal Family Care and Medical Leave Act of 1993 and the D.C. Family Care and Medical Leave Act of 1990 remains unclear, with regulations having only recently been issued and much in these laws still untested in the courts.
4. The Committee therefore decided that the best approach would be to create authorizing language in the Faculty Code, as reflected Resolution 95/2, which was adopted by the Senate on May 4, 1995.. The objective of this Resolution was to make known to all in timely fashion the possibility of negotiating partial leave, and where appropriate extending the tenure clock, but would leave detailed guidelines and processes to be developed by the ASPP Committee in conjunction with Academic Affairs and University Counsel. These would then be published in the Faculty Handbook and could be revised and updated as need be, without amending the Faculty Code.
5. In the Fall of 1995, Interim Vice President Salamon asked the Committee to consider several revisions of the Resolution to make it more acceptable to the Administration by clarifying the scope and justification of the authorizations to be inserted into the Faculty Code. The Resolution accompanying this Special Report is the result of a series of deliberations between the Committee and the Administration. On April 16, 1995, the Committee voted unanimously to forward the accompanying RESOLUTION TO AMEND A PREVIOUSLY ADOPTED RESOLUTION (95/2) ON FACULTY LEAVE for consideration by the Senate.

[Any inquiries about this resolution should be directed to Professor William B. Griffith, Chair, Committee on Appointment, Salary and Promotion Policies, Ext. 46265.]

A RESOLUTION TO AMEND THE FACULTY CODE TO ALTER THE DATE OF NOTIFICATION OF CHANGES IN SALARY (Res. 96/ 3)

WHEREAS, faculty members should have a reasonable expectation that increments to their salaries are based in part on academic performance in the prior academic year, and

WHEREAS, the designation of an annual notification date in the Faculty Code IV.A.1b.) assumes that changes in salary as well as appointments will take effect at the beginning of the academic, rather than the calendar year, and

WHEREAS, the University's current budgetary practice -- established to assure the amount of Fall Semester tuition income available to support raises -- is to make salary changes effective on January 1 and, furthermore, to report reappointments around May 7, and

WHEREAS, one result is that new salaries are currently based in part on academic performance reported on Annual Reports that were completed sixteen months prior to the raises' effective date, and

WHEREAS, the lack of synchrony among Annual Reports, establishment of salary increments, and effect on actual salaries fails to make apparent the impact of performance on salary, hence fails to reinforce incentives for strong academic performance, NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE AT THE GEORGE WASHINGTON UNIVERSITY

1. That the Faculty Code IV.A.1.(b) be amended by eliminating bracketed passages and adding underlined passages, as follows:

Tenured members of the faculty and faculty members (except those appointed in the Medical Center), whose appointments do not expire or whose appointments will be renewed shall be notified in writing annually, on or about May 15, [of salary and] of changes in rank and of other terms and conditions of service for the next academic year, and further shall be notified annually in writing of changes in salary, no later than Nov. 1.

2. That the initial implementation of the new practice ensure that in establishing salaries effective January 1, 1997, Department Chairs and Deans take account of academic performance recorded in Annual Reports for 1994-95 and 1995-96, inclusive.

Appointments, Salaries, Promotion Policies Committee
April 16, 1996

Adopted, as amended, May 10, 1996

approved by Board May 17, 1996

FACULTY SENATE
Committee on Appointments, Salary, and Promotion Policies

SPECIAL REPORT

April 22, 1996

1. This Special Report accompanies a **RESOLUTION TO AMEND THE FACULTY CODE TO ALTER THE DATE OF NOTIFICATION OF CHANGES IN SALARY** (Res. 96/3).
2. The initial draft of this Resolution was put before the ASPP Committee by the Chair at the behest of Interim Vice President Salamon. It is one step in carrying through a realignment proposed by the Office of Academic Affairs of the schedule of Annual Reports by faculty and comments by deans and department chairs, to fit better the new schedule for making faculty raises effective on Jan. 1. The aim of the proposed restructuring, as set out in the WHEREAS clauses, is to have relatively current Annual Reports from faculty available when salary increments are being considered, so that all concerned are able to perceive a closer linkage between recent academic performance and salary changes.
3. The schedule currently proposed by Academic Affairs envisions Annual Report forms being distributed to faculty in April, to be forwarded to deans by chairs with their comments by around June 1. The deans would then return their comments to faculty for review in early September. Final recommendations for raises would be sent to Academic Affairs in early October. The two new dates proposed for insertion into the Faculty Code (May 15 and Nov.1) appear to be the most feasible target dates consistent with the revised schedule of meetings of the Board of Trustees and current budgetary practice.
4. The ASPP Committee debated, amended, and approved the Resolution for forwarding to the Faculty Senate at its meeting on April 16, 1996. The Committee asks that the Faculty Senate consider this proposed Resolution expeditiously, in view of the Administration's aim to implement these schedule changes for salary changes to be adopted next Fall.

A RESOLUTION OF APPRECIATION (96/4)

WHEREAS, John A. Morgan, Jr., will retire in June as Professor Emeritus of Political Science and Public Affairs after 32 years of service to The George Washington University; and

WHEREAS, John A. Morgan, Jr., has earned the respect and gratitude of the entire University community; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the following citation be issued:

In recognition of his contribution to The George Washington University during 32 years of service to his students in Political Science and Public Affairs of the Columbian School of Arts and Sciences; and

In recognition of his dedication and effectiveness as Pre-Law Adviser for 10 years, as Acting Chair, Coordinator of Undergraduate Studies, and member of various committees of the Political Science Department; and

In recognition of his commitment and outspoken support of the principles and provisions of the Faculty Code, especially with respect to the centrality of the faculty in a system of shared governance; and

Especially in recognition of his 20 years of conscientious service as a member of the Faculty Senate and, specifically, for his service of 5 years as Chair and 8 years as a member of the Executive Committee, 4 years as Chair of the Appointment, Salary and Promotion Policies Committee, 4 years as Chair of the Professional Ethics and Academic Freedom Committee, 1 year as Chair of the Educational Policies Committee, 1 year as Chair of the University Objectives Committee, and 3 years as Chair of the Dispute Resolution Committee;

THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

CITES

PROFESSOR JOHN A. MORGAN, JR.

FOR

DISTINGUISHED SERVICE

John G. Boswell

**Chair, Executive Committee of
the Faculty Senate**

Stephen Joel Trachtenberg
President

May 10, 1996

Adopted by acclamation



A RESOLUTION COMMENDING ACHIEVEMENT OF FACULTY SENATE
GOAL (96/5)

WHEREAS, at the previous meeting of this body it received an announcement from President Trachtenberg that faculty salaries now met or exceeded the 80th percentile of the AAUP for all levels and awarded him a round of applause, and

WHEREAS, we have now received a more detailed report on faculty salaries, this body wishes to render more formal appreciation, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE
WASHINGTON UNIVERSITY:

That the Faculty Senate, on behalf of the University Faculty, hereby commends and thanks Stephen Joel Trachtenberg for his vigorous efforts to improve faculty salaries and urges him to continue in this admirable work.

Executive Committee of the Faculty Senate
May 10, 1996
Adopted by acclamation

A RESOLUTION TO ESTABLISH A SPECIAL COMMITTEE TO REVIEW
GRIEVANCE PROCEDURES AT THE GEORGE WASHINGTON UNIVERSITY
(96/6)

WHEREAS, the Faculty last reviewed the Faculty Code grievance procedures in 1986; and

WHEREAS, in recent years the number of grievances filed with the Dispute Resolution Committee has increased significantly; and

WHEREAS, it is prudent to consider possible changes in the Faculty Code grievance procedures, specifically, Procedures for the Implementation of the Faculty Code, E. Procedures for Implementation of Article X of the Faculty Code, to improve the efficiency of the process and the quality of the decisions; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

1. That a Special Committee of the Faculty Senate be and hereby is established to consist of five members to be nominated by the Executive Committee for election by the Senate; and
2. That this Special Committee be charged as follows:
 - a. To consider structural issues relating to the grievance procedures, including the size, composition, and term of membership of the Dispute Resolution Committee; and
 - b. To consider procedural issues relating to the grievance procedures, including the preliminary and formal procedures, the discovery mechanisms, the time periods provided for various stages of the procedures, the delegation of issues to the Hearing Officer for decision, and the appeals process; and
 - c. To consider remedial issues, including the consequences of failing to comply with Faculty Code provisions, the imposition of sanctions on parties who fail to file documents in a timely manner or who refuse to comply with discovery orders, and the vindication of the rights of a successful grievant; and
 - d. To consider such other defects in the grievance procedures as the Special Committee may discover; and

(continued)

- e. To draft, where appropriate, specific language amending the Faculty Code to implement the recommendations of the Special Committee; and
- f. To submit its report, recommendations, and draft language to the Faculty Senate by October 1997.

Executive Committee of the Faculty Senate
September 27, 1996

Adopted October 11, 1996

A RESOLUTION TO COMMEND THE PRESIDENT AND THE BOARD OF TRUSTEES ON
RENOVATIONS OF ACADEMIC SPACE (96/7)

WHEREAS, the recent renovations of Fungler Hall, Lisner Hall, and
Stuart Hall have provided well-lighted, attractive, and
more functional spaces for students and faculty;
NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON
UNIVERSITY

That the Faculty Senate of The George Washington University
commends the President and requests that he transmit the
appreciation of the Faculty Senate to the Board of Trustees for
these improvements.

Executive Committee of the Faculty Senate
October 25, 1996

Adopted November 15, 1996

SUBSTITUTE

A RESOLUTION TO DISCHARGE THE JOINT COMMITTEE TO ESTABLISH AN ALL-ENCOMPASSING UNIVERSITY-WIDE POLICY ON CONFLICT OF INTEREST AND TO ESTABLISH AND ELECT A SPECIAL FACULTY COMMITTEE TO DEVELOP A CONFLICT OF INTEREST POLICY FOR FACULTY MEMBERS AT THE GEORGE WASHINGTON UNIVERSITY (96/8)

WHEREAS, the Faculty Senate in its Resolution 95/5, "A Resolution to Establish a Special Joint Faculty-Administration-Trustees Committee to Formulate an All-Encompassing University-Wide Policy on Conflict of Interest," adopted January 19, 1996, called for an "all-encompassing policy" for The George Washington University; and

WHEREAS, such a committee, consisting of faculty members nominated and elected by the Faculty Senate on January 19, 1996, together with appointed members from the administration and the Board of Trustees, was established; and

WHEREAS, the Board of Trustees of The George Washington University stated at its meeting on October 25, 1996, that it had its own Conflict of Interest Policy and declined to be part of an "all-encompassing" University Conflict of Interest Policy; and

WHEREAS, The Board of Trustees has requested the Faculty Senate of The George Washington University to present a draft Policy on Conflict of Interest covering faculty only, such a draft policy to be considered by the Board of Trustees at its meeting on February 14, 1997; and

WHEREAS, the existing faculty members of the Special Joint Faculty-Administration-Trustees Committee were duly elected by the Faculty Senate and are therefore representative of faculty from each school and have both the experience and knowledge relevant to the requirements for framing a Conflict of Interest Policy from having served on the Joint Committee; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- 1. That the ~~Faculty members of the existing Special Joint Committee~~, in light of the Board of Trustees' actions and requests, be ~~discharged~~ reconstituted; and further**
- ~~2. That the Faculty members of the Special Joint Committee, namely, Professors J. Cordes, M. Elgart, R. Harrington, G. Johnston, T. Morgan, R. Mueller, J. Pelzman, L. Robinson, and P. Wirtz, be hereby nominated for election, together with nominations from the floor, (if any), to serve on a Special Committee to develop a Conflict of Interest Policy for Faculty Members at The George Washington University; and~~**
- ~~3. That the Executive Committee of the Faculty Senate is hereby authorized to add further faculty members to the Special Committee and to report these nominations to the Faculty Senate at its December 13th meeting.~~**
- 2. That the Special Faculty Committee develop a Conflict of Interest Policy for faculty members at The George Washington University.**

**November 15, 1996
Professor Robert J. Harrington**

Adopted, as amended, November 15, 1996

A RESOLUTION TO SECURE THE INDEPENDENCE AND IMPARTIALITY OF MEMBERS OF THE SENATE AND ELECTED SENATE COMMITTEES IN THE PERFORMANCE OF THEIR RESPONSIBILITIES UNDER THE Faculty Code (96/9)

WHEREAS, the processes within the University that secure the independence and impartiality of members of the Faculty Senate and elected Senate committees in the exercise of their legislative, judicial and oversight responsibilities and those that should be available to a faculty member who alleges that an elected Senate committee or a member of a Senate committee has violated their rights under the Faculty Code are not now sufficiently well-defined, and

WHEREAS, the final responsibility for the proper functioning of the Senate and its elected Committees must lie with the Faculty Senate as a whole; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That a three-person Special Committee be elected and instructed to draft explicit procedures for implementation of these responsibilities as amendments to the Bylaws of the Senate and submit its recommendations and draft language to the Faculty Senate by April 15, 1997.

Executive Committee
January 31, 1997

Adopted February 14, 1997

BACKGROUND FOR RESOLUTION 96/9

The Faculty Senate and the various committees elected by the Faculty Senate, including the Executive Committee of the Faculty Senate and the Dispute Resolution Committee, are assigned certain legislative, judicial and oversight responsibilities by the Faculty Code. There have been instances in which a Senate Committee and/or members of the Senate or one of these Committees have been alleged to have acted in an arbitrary or capricious manner, improperly abridged the rights of a faculty members or retaliated against a faculty member for the exercise of a Code-protected right. Although such instances have been extremely rare, it is nonetheless important for faculty actively engaged to feel secure in the performance of responsibilities assigned to them under the Faculty Code and for the faculty member, who alleges a violation of his or her rights, that procedures be available for dealing with such cases.

Security with regard to proceedings that might be instituted outside The George Washington University by a party who feels himself or herself to have been injured by a Senate Committee, or a member of a Senate Committee, in the proper pursuance of their roles, the University has provided assurances of indemnification by the University in the event damages are awarded against them. (Memorandum from Peter P. Hill dated April 2, 1980, approved by Vice President Harold F. Bright 4/3/80 is attached.)

At present, the process within the University that secures the independence and impartiality of members of the Senate and elected Senate Committees on the one hand, and the process that should be available to a faculty member who alleges improper treatment by an elected Senate Committee or members of such a Committee on the other, are not well-defined.

Standard provision for these situations is governed by the ideas of parliamentary immunity as expressed, for example, in Article I, Section 6 of the U.S. Constitution " . . . for any Speech or Debate in either House, they shall not be questioned in any other Place." An alleged impropriety in violation of the Faculty Code on the part of a member of the Faculty Senate and/or one of its elected Committees in the performance of legislative, judicial or oversight responsibilities can only reside with the parent legislative body, in the present case the Faculty Senate. Allegations must be brought before the Faculty Senate which will direct how to deal with them. Paralleling the provision for trial of impeachments, the Faculty Senate has the power to remove a Senator or a member of its elected committees from office.

THE GEORGE WASHINGTON UNIVERSITY
INTERDEPARTMENTAL MEMORANDUM

April 2, 1980

To Harold F. Bright, Provost
George Washington University

From Peter P. Hill, chairman
Faculty Senate Executive Committee

P. Hill

Subj.: Request for assurance that faculty members of Hearing and Grievance Committees, in the proper pursuance of their roles therein, will be indemnified by the University in event of financial damages being awarded against them by a court of law as a result of actions taken by those faculty members in the hearing and judging of faculty grievance cases.

cc: Members, Sen. Ex. Com.
Members of Hearing and Grievance Committees, holding office since March, 1979

*The requested assurance is
herewith approved.*

H.F. Bright

4/3/80

A RESOLUTION COMMENDING THE WOMEN'S BASKETBALL TEAM (96/10)

WHEREAS, excellence in sports has been demonstrated throughout the year by teams of The George Washington University; and

WHEREAS, the Women's Basketball Team in particular has demonstrated accomplishments and merit by becoming the first team from The George Washington University to advance to the final eight competition in the NCAA basketball tournament; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the University Senate on behalf of the entire university community is pleased to commend the Women's Basketball Team by adopting the following proclamation:

The George Washington University Senate recognizes that excellence in sports is being achieved. The Senate congratulates and commends the University's Women's Basketball Team for their outstanding accomplishment in advancing to the elite eight of the NCAA basketball tournament. It extends its heartiest congratulations to every member of the team, coach Joe McKeown, and his staff, for their fine play and record during the 1996-97 school year.

Committee on Athletics and Recreation
March 27, 1997

Adopted April 11, 1997

A RESOLUTION OPPOSING SELECTIVE REDUCTIONS IN SALARY OF TENURED FACULTY (96/11)

WHEREAS, it has been the consistent understanding and practice in the American academic community and at The George Washington University that faculty tenure includes protection from salary reduction of tenured individuals without due process consistent with the requirements for discipline under the Faculty Code; and

WHEREAS, the George Washington Medical Center has recently (FY 1997) disregarded that established understanding and practice by summarily reducing the salaries of selected tenured academic faculty members who are not financial participants in the Medical Faculty Associates Compensation Plan; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

1. That the Faculty Senate finds that reductions of the "base" (or equivalent) salary of selected tenured members of the Faculty, accomplished without due process consistent with the requirements for discipline under the Faculty Code, violate established understanding and practice, are inconsistent with the accepted meaning of "tenure," and are, therefore, inconsistent with the contractual rights of the affected tenured faculty members under the Faculty Code; and
2. That the Faculty Senate requests the Administration to rescind any individualized reductions of the salary of tenured faculty accomplished without due process consistent with the requirements of the Faculty Code, retroactively to the date of their imposition and to compensate the affected individuals accordingly.

Ad Hoc Committee
February 11, 1997

Adopted April 11, 1997

Memorandum to: Professor John G. Boswell, Chair

Executive Committee of the Faculty Senate

From: *Ad Hoc* Committee to examine the relationship between tenure and salary

Professor Walter K. Kahn, Executive Committee

W. K. Kahn

Professor David Robinson, Professional Ethics and Academic Freedom

Professor Eugene Abravanel, Appointment Salary and Promotion Policies

Date: February 11, 1996

The members of the Ad Hoc Committee have examined the relationship between tenure and salary in the context of the George Washington University Faculty Code and Faculty Handbook and general practice in the American academic community. The immediate situation giving rise to this examination is a reduction in salary of three tenured professors in the School of Medicine and Health Sciences.

Background

To summarize the situation briefly, the three affected tenured faculty Ph.D's are in a department, Radiology, largely staffed by M.D.'s. While they work in a clinical department, these faculty do not have a membership in or direct financial relationship with the Medical Faculty Associates (MFA) Plan, which relates the variable salaries of the participants to clinical income. They are tenured, full professors with the wide range of responsibilities that full faculty status entails. They may have regular teaching responsibilities, research responsibilities, and service responsibilities of regular, full-time Faculty and are evaluated on their performance of all these duties.

In April-May 1996 the three tenured faculty in the medical center, learned by letters from the Interim Vice President for Academic Affairs [1] [2] that measures were underway to reduce their salaries by 5% to 10% for FY 1996. The rationale was a new structure that would offer incentives for faculty to increase their performance [through]

the award of increments, or in appropriate cases reductions in compensation. "The adjustment in salary was based on a review of the fiscal situation of your department/division and our best estimate of the contributions you are making to the maintenance of cost-effective clinical care of high quality, of your contributions to teaching, and --where appropriate -- to funded research." In challenging the salary reductions the faculty members asserted that the assessment of performance by the Chair and administration was arbitrary. They asserted that the desire of the Chair to discipline them entered into their being selected for pay cuts.

The Faculty Code and Faculty Handbook Provisions

Ultimately, the question is whether these cuts in pay traverse rights the affected faculty members. The answer to this question depends on the meaning of their contract with the University as represented in the Faculty Code and Faculty Handbook. In particular, the claims depend on the meaning of "tenure" as the term is used in the Faculty Code, which is a component of the contract between each member of the faculty and the University as provided in Article IV.A.1.a). Unfortunately, while there is substantial discussion of eligibility, standards, and procedures for tenure, the term "tenure" itself is not defined. We believe that the broad understanding of academic freedom, of which tenure is a part, the function that tenure is supposed to serve in a university context, other provisions of the Faculty Code and Faculty Handbook, and University precedent all suggest that tenured, regular faculty members' contractual rights and academic freedom are violated when individual faculty members are singled out for pay cuts. The protection for Academic Freedom that underlies the institution of tenure argues strongly for such an interpretation.

Universities are the principal institutions dedicated to the advancement of knowledge in our culture. Faculty members' teaching and scholarship is the principal vehicle for that advancement and, often, cultural progress results from ideas that are, initially, unpopular. Tenure, as used in the Faculty Code

ensures the financial protection against monetary coercion that is essential for university faculty to advance ideas and conduct academic inquiry without fear of retaliation by supervisors who may prefer other ideas, lines of scholarship or approaches to knowledge. It is designed to insulate faculty members' scholarly judgment or advocacy of ideas, both in the classroom and in scholarship, against outside influences. At times tenure might also protect some faculty members who are considered less productive; its potential to do that has recently brought it under assault. Nonetheless, we think that the idea of tenure includes protection against reductions in a faculty member's salary because, simply, salary cuts (or the threat of salary cuts) may strongly influence what a faculty member will teach or publish and how the faculty institutionalizes these functions. This is precisely contrary to the principles of academic freedom. Moreover this threat would also compromise efforts of the university to attract or retain excellent faculty.

The position of the Medical Center administration relative to these reductions can only be inferred in as much as they declined to meet with the *Ad Hoc* Committee. In view of the memoranda from Interim vice President Salamon, the likely claim is that the affected faculty were singled out because they were less productive. It is impossible to determine, in any definitive way, which was *the* reason for their salary reductions or whether their different discipline had *anything* to do with the cuts. Suffice it to say that a Chair who wanted to clean a department of faculty who did not subscribe to discipline could find "productivity" reasons for doing so. Salary reductions could provide those faculty with an "incentive" to leave.

While it doesn't define "tenure" explicitly to provide protection against salary reductions, Articles of the Code suggest that salary reductions are impermissible encroachments on tenure. The first is Article V.c. Termination of Tenure, and the elaborate provisions governing Procedures for Implementation of the Faculty Code, Article F Procedures for Dismissal of a Faculty Member for Adequate Cause. They are reserved for faculty who are "tenured." These must be the processes to be invoked to reduce salaries because substantial due process is necessary in this context to protect

against disguised attacks on academic freedom. The detail and formality of the proceedings contemplated also attest to the strength of the institution of tenure, as provided in the Faculty Code. If the University wishes to force a faculty member out, these costly and elaborate procedures specified in the Faculty Code must be followed. It would be inconsistent with the institution of tenure at the University if an administrator could cut a faculty member's salary with *no* process whatsoever. Moreover, the nature of the purely administrative discretion created by such an interpretation is virtually unlimited. If we interpret the silence in the Faculty Code about salary reductions as permitting salary cuts for tenured faculty, there resides in that silence no limitations either in the size of the cuts nor in the frequency with which they can be imposed. It does considerable injustice to the detail of other provisions of the Code to believe that unspecified and unlimited salary reductions without any procedures whatever are consistent with the institution of tenure. The word "tenure" in the Faculty Code cannot be reasonably so construed. The Code is silent on salary reductions because all concerned assumed that the institution of tenure precluded them without due process. While the Faculty Handbook does not address salary and tenure broadly, it specifically provides in cases of partial retirement, Section 3 p.13, "...the faculty member's salary and fringe benefits may not be reduced."

Second, the Faculty Handbook has provisions directly concerned with the compensation of faculty members, for example, Article IV, B.2. The Faculty Handbook, Section 3, among other things, limits outside compensation for faculty members. One could, of course, maintain that silence on salary reductions for tenured faculty means that they are permissible without due process. We think such a position is implausible. Given these other provisions, if "Merit Decreases" or "Salary Decrements" were permitted, we think there would have been comparable provisions specifying who had decision making power and under what procedures that power was to be exercised. The institution of tenure was an assumed backdrop for all these provisions. The only sensible interpretation of the Code's silence on salary reductions is that all concerned assumed that the institution of tenure precluded them without the due process procedures found in

the Faculty Code and, therefore, there was no need to otherwise address them within the context of other salary provisions.

Finally, University precedent is consistent in an interpretation of tenure that precludes salary reductions as part of the merit pay process. We can safely assume that faculty perceived by their evaluators to be less productive have existed in all University schools. Yet so far as we are aware, no faculty member in the University has had his or her salary cut for lower productivity. Certainly, no information as to a grievance arising out of such a cut has reached this Committee in its own institutional memory. We believe that this unbroken practice strongly supports the proposition that tenure includes protection against salary reductions, absent due process procedures.

The Medical School Context and Medical Faculty Associates (MFA) Plan Funding

Given the University-wide importance of the connection of tenure and compensation, the discussion to this point has been largely general, not taking account of circumstances peculiar to the Medical Center.. At the Medical Center, the situation could be more complicated because of a mix of faculties holding M. D., Ph. D. or both degrees, academic and clinical functions, more numerous sources of funding for faculty salaries and potentially more complex methods for administering that funding. It might be argued that such factors create a totally special set of circumstances for faculty. Yet all University Schools have multiple funding sources. Each has (at least) University funds, grants, and alumni giving.

While the details of the MFA Plan itself and how it is administered throughout the Medical School are, no doubt, interesting and complicated, it is unnecessary to examine that complexity for present purposes. It was clear that the process of allocating individual salaries to funding sources (University funds, grants, patient care) is a completely informal, largely discretionary one. It simply represents the Chair's way of thinking about the Departmental budget and work allocation among faculty. The discretionary

allocation of assigned work to MFA Plan funding by the Chair that makes involvement of that funding irrelevant .

The presence of the MFA Plan funding or the mental allocation of funding sources to individual salary lines does not free up the Department to make salary reductions that otherwise are inconsistent with the Faculty Code provisions. There is no direct connection between the MFA Plan revenues, Hospital revenues, and salaries of the affected persons. Salaries of the selected persons were set and remained the same regardless of the success or failure of the Plan for the year in question. Finally in budgetary terms, the dollar proceeds associated with these pay cuts realized by Medical Center are inconsequential.

We thus view the involvement of MFA Plan funding as insufficient to create an exception to the notion of tenure as protection against salary reductions as discussed above. In context MFA Plan funding is no different than is alumni giving or external research support.

Because we believe that the Faculty Code's provisions and the principles of Academic Freedom have been violated by the salary reductions, we recommend adoption of the attached Resolution opposing selective reductions in salary of tenured members of the faculty.

[1] Letter dated April 26, 1996 from Interim Vice President Salamon {edited}.

[2] Letter dated May 30, 1996 from Interim vice President Salamon {edited}.



175TH ANNIVERSARY 1821-1996

VICE PRESIDENT FOR ACADEMIC AFFAIRS

April 26, 1996

This is to inform you of your appointment as Professor of _____ for fiscal year 1996-97.

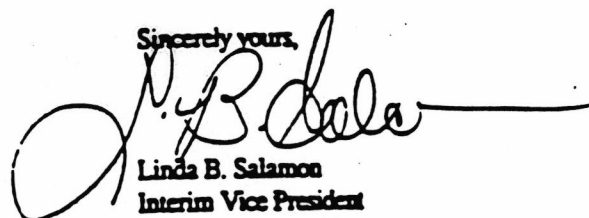
For many years it has been the University's practice to inform continuing faculty members annually at this time not only of their reappointments but of their salaries for the subsequent fiscal year. For reasons which are well known to the whole Medical Center community, assigning salaries for the volatile year that lies ahead is unusually difficult.

Virtually all faculty who are appointed in clinical departments of the School of Medicine and Health Sciences have responsibilities not only to the academic programs of the School but also to the University Hospital, the Medical Faculty Associates, or both. That portion of the resources to support the salaries of faculty in the clinical departments that is drawn from the School's funds is relatively small; it is related to departmental involvement in the educational programs of the entire School. Other resources for clinically-related faculty are drawn from the income of the Hospital, the practice plan, or both. There is some degree of instability in each of these latter sources; income from the Hospital is at particular risk.

The administration of the University and the Medical Center is presently working to devise a structure for all members of the clinical departments that will take into account the relationship between assignments to teaching, to research, to patient care, and to administration and the approximate portion of salary associated with those roles. As is the case for practicing physicians on the faculty, the evolving structure may offer incentives for faculty to increase their performance in each relevant area. The factors governing the award of increments, or in appropriate cases reductions in compensation, will be set forth in as much detail as is practical in the new structure.

The Board of Trustees, the President, Vice President Weingold, and I are committed to authorizing faculty salaries at the Medical Center that are as strong as is consistent with fiscal responsibility for the Medical Center and the University as a whole. I shall write to inform you of your actual salary, within this more explicit salary structure, as soon as possible and no later than May 31, 1996.

Sincerely yours,



Linda B. Salamon
Interim Vice President
for Academic Affairs

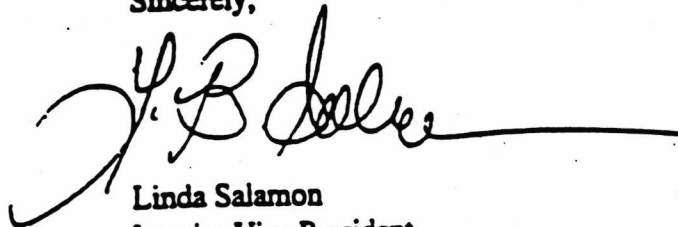
VICE PRESIDENT FOR ACADEMIC AFFAIRS

May 30, 1996

This is to inform you that your salary as Professor of _____ has been established at \$ _____ for the fiscal year 1996-1997. This adjustment in salary was based on a review of the fiscal situation of your department/division and our best estimate of the contributions you are making to the maintenance of cost-effective clinical care of high quality, of your contributions in teaching, and—where appropriate—to funded research.

These decisions were made in consultation between the Dean's Office and your departmental Chair.

Sincerely,

A handwritten signature in dark ink, appearing to read "L. Salamon", followed by a long horizontal line extending to the right.

Linda Salamon
Interim Vice President
for Academic Affairs

SUBSTITUTE RESOLUTION

A RESOLUTION TO CIRCUMSCRIBE LEAVES OF ABSENCE TAKEN IN A CONTIGUOUS SEVEN-YEAR PERIOD (96/12)

- WHEREAS, Article VI.A of the Faculty Code stipulates that "At any time, for study or for any other valid reason, a leave of absence without salary, or a partial leave for family or medically related purposes with reduced salary, may be granted to a member of the faculty by the appropriate corporate officer"; and
- WHEREAS, The Faculty Code is presently silent with regard to circumscription of the total amount of unpaid leave that may be taken consecutively or within any seven-year period; and
- WHEREAS, The President has noted that the absence of such circumscription from our Faculty Code places this University at variance with sister institutions of equivalent stature, and has requested guidance from the Faculty Senate regarding such possible circumscription; and
- WHEREAS, Unpaid leaves of absence exceeding one academic year in any contiguous seven year period disrupt the orderly execution of the faculty's primary responsibilities; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That Article VI.A of the Faculty Code be amended as follows (language proposed for insertion is underlined):

At any time, for study or for any other valid reason, a leave of absence without salary, or a partial leave for family or medically related purposes with reduced salary, may be granted to a member of the faculty by the appropriate corporate officer. Except for unpaid leaves of absence taken under the Family and Medical Leave Acts, unpaid leaves shall not normally exceed one academic year in any contiguous seven-year period, although under exceptional circumstances two years of unpaid leave may be granted.

Tabled April 11, 1997

See Substitute

A RESOLUTION TO CIRCUMSCRIBE LEAVES OF ABSENCE TAKEN IN A
CONTIGUOUS SEVEN-YEAR PERIOD (96/12)

WHEREAS, Article VI.A of the Faculty Code stipulates that "At any time, for study or for any other valid reason, a leave of absence without salary, or a partial leave for family or medically related purposes with reduced salary, may be granted to a member of the faculty by the appropriate corporate officer"; and

WHEREAS, The Faculty Code is presently silent with regard to circumscription of the total amount of leave that may be taken consecutively or within any seven-year period; and

WHEREAS, The President has noted that the absence of such circumscription from our Faculty Code places this University at variance with sister institutions of equivalent status, and has requested guidance from the Faculty Senate regarding such circumscription; and

WHEREAS, Leaves of absence exceeding one academic year in any contiguous seven year period disrupt the orderly execution of the faculty's primary responsibilities; NOW
THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON
UNIVERSITY

That Article VI.A of the Faculty Code be amended as follows (language proposed for insertion is underlined):

At any time, for study or for any other valid reason, a leave of absence without salary, or a partial leave for family or medically related purposes with reduced salary, may be granted to a member of the faculty by the appropriate corporate officer. Except for deferred sabbatical leaves of absence and leaves of absence taken under the Family and Medical Leave Acts, leaves shall not normally exceed one academic year in any contiguous seven-year period, although under exceptional circumstances two years of leave may be granted.

Committee on Appointment, Salary and Promotion Policies
March 28, 1997

FACULTY SENATE
Committee on Appointment, Salary, and Promotion Policies (ASPP)

SPECIAL REPORT

March 25, 1977

1. This special Report accompanies and is intended to explain some of the background of our proposed A RESOLUTION TO CIRCUMSCRIBE LEAVES OF ABSENCE TAKEN IN A CONTIGUOUS SEVEN-YEAR PERIOD (96/12), submitted for consideration by the Faculty Senate.
2. This issue originally arose to prominence last Fall, when the President and the Vice President for Academic Affairs asked the Executive Committee of the Faculty Senate for advice in dealing with a faculty member's request for a Leave of Absence shortly after just having had a Leave of Absence. The current wording of the Faculty Code provides no circumscription of the amount of Leave of Absence that can be taken.
3. A subcommittee of the ASPP gathered information about the practice of other institutions on this question, and determined that the silence of the GW Faculty Code on the issue of circumscribing the amount of Leave of Absence is at variance with the faculty codes at other institutions. The subcommittee also agreed that circumscription was warranted.
4. After receiving (and deliberating upon) the report of the subcommittee, on March 25, 1997, the ASPP Committee agreed that circumscription of the form provided in the associated Resolution was needed, and voted unanimously to forward the accompanying RESOLUTION TO CIRCUMSCRIBE LEAVES OF ABSENCE TAKEN IN A CONTIGUOUS SEVEN-YEAR PERIOD (96/12) for consideration by the Senate.

A RESOLUTION ON THE ESTABLISHMENT OF A SCHOOL OF PUBLIC HEALTH AND HEALTH SERVICES (96/13)

WHEREAS, the Board of Trustees has approved a planning process leading towards the establishment in July 1997 of a new School of Public Health and Health Services; and

WHEREAS, the Faculty Senate or an appropriate committee thereof of the George Washington University is entitled under the Faculty Code (IX.A) to an opportunity to make recommendations on proposals for creation of any new school; and

WHEREAS, the Faculty Code and the Faculty Organization Plan impose certain requirements and confer certain privileges quite uniformly (with minimal exceptions) on all schools of the University; and

WHEREAS, the Council on Education for Public Health, the accrediting body for Schools of Public Health, also requires that such schools have an administrative structure parallel to other health-professional schools in the same institution; NOW THEREFORE,

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

1. That the structure and procedures of the School of Public Health and Health Services (SPHHS) be designed to conform to the pertinent requirements of the Faculty Code in all respects; in particular,

(a) the faculty of the School must establish its own written procedures of governance and its own standing committees on curriculum, personnel, etc., and

(b) all faculty personnel recommendations must originate in departments, must be considered by a school-wide personnel committee of the SPHHS, be concurred in by the dean of the School or, if the dean and/or responsible vice president find compelling reasons to nonconcur, be forwarded to the Executive Committee of the Faculty Senate to resolve the disagreement.

2. That in its relationships to other schools, the SPHHS stand in a status subordinate to none and fully capable of acting coordinately with any; in recognition of this status, upon formal establishment of the SPHHS, the Faculty Senate intends to recommend to the Faculty Assembly modification of the Faculty Organization Plan to provide for appropriate elected representation in the (University) Faculty Senate.


Ad Hoc Committee of the Faculty Senate on the Establishment of the School of Public Health and Health Services (SPHHS)
March 27, 1997

THE GEORGE WASHINGTON UNIVERSITY

Faculty Senate

Memorandum

TO: Professor J. Boswell, Chair, Faculty Senate Executive Committee

FROM: R.J. Harrington, 
Chairman Ad Hoc Committee of the Faculty Senate on the Establishment of the
School of Public Health and Health Services (SPHHS)

DATE: March 27, 1997

**Report
to the Senate Executive Committee
of the Ad Hoc Committee of the Faculty Senate
on the Establishment of the SPHHS**

The committee was comprised of Professors W. B. Griffith, (Columbian School of Arts and Sciences), (Chair of the Senate Committee on Appointments, Salary and Promotions Policies), R. J. Harrington, (Chair), (School of Engineering and Applied Science), (Chair of the Senate Committee on Educational Policy), L. F. Robinson, (Columbian School of Arts and Sciences), (Chair of the Senate Committee on Professional Ethics and Academic Freedom) and P. W. Wirtz, (School of Business and Public Management), (Executive Committee of the Faculty Senate).

The committee's deliberations and recommendations relating to the establishment of the SPHHS and to its relationship with other schools are based on those sections of the Faculty Code which are applicable and on a desire to maintain consistency with established practice in all other schools in the University. This desire for consistency extends also to the School of Medicine and Health Sciences (SMHS), which has not always in the past been in consonance with the other schools. The deliberations and recommendations are of course specifically targeted at Faculty issues such as appointment, tenure, promotion, curriculum matters and departmental and school organization. There are no recommendations regarding salaries, although the committee notes that there is an on-going discussion with the administration on this issue.

The committee wishes to express concern with respect to the following issues raised during their lengthy and detailed discussions:

- (a) The Composition of the Appointments, Promotion and Tenure (APT) Committee of the Medical Center. Of the nine members of the Medical Center APT Committee, only two will be from the SPHHS. This would not afford sufficient safeguards for them in the Medical Center environment. This must be addressed. There is no APT Committee at either the departmental or school level (although Professor Riegelman has assured the committee that there will be such a committee established). This would severely restrict the tenure and promotion prospects for those faculty in the SPHHS. This must be addressed.
- (b) The Organization Plan for the Medical Center does not follow the normally accepted pattern in which departmental chairs report to the Dean of the School. Presently chairs report directly to the Vice President for Medical Affairs/Executive Dean. Difficulty also arises in the appointment of a single individual to be VP/Executive Dean, two positions which should have essentially distinct and well defined responsibilities. The relationship between the Deans of the various schools within the Medical Center and the Vice President for Medical Affairs should be clarified and brought into line with that pertaining to the rest of the University. Searches and appointments of Deans should be according to the Faculty Code. It is not clear what responsibilities are conferred by the title of Executive Dean and this may lead to confusion, both from the faculty's and from the administration's point of view.
- (c) The SPHHS should have representation of its own on the Faculty Senate. Although Professor Riegelman has been able to persuade the SMHS to allow one of their three representatives to be elected from the SPHHS, the correct way to have representation for a new school on the Faculty Senate is for the Faculty Assembly to amend the Faculty Organization Plan to include extra member(s) of Senate for them. The committee recommends that the Faculty Senate establish a committee to examine this matter.
- (d) The committee further recommends that the Senate Executive committee establish an Ad Hoc committee or refer to a Senate Standing committee for studying the New APT Criteria for Appointment, Promotion and Tenure of Faculty of the Medical Center as laid out in the memorandum from Professor Deutsch, dated January 23, 1997 with regard to consistency with the Faculty Code.
- (e) Other matters which on the face of it place the whole Medical Center in direct conflict with the Faculty Code and therefore require immediate study and should be referred to either an Ad Hoc committee or a Senate Standing committee are:
 - (i) The proportion of Non-Tenure Accruing to Tenure-Accruing & Tenured Faculty in the SHMS and SPHHS and
 - (ii) The proposed increase in the tenuring period from seven years to ten years.

A RESOLUTION ON "SCHOOLS WITHIN SCHOOLS" (96/14)

WHEREAS, The established structure of this University, as specified in our Faculty Code and Faculty Organization Plan, consists of Schools, most of which are subdivided into departmental units; and

WHEREAS, Under our Faculty Code, the faculty of a School within the University has certain prerogatives and responsibilities inconsistent with being a subordinate unit within another school, such as recommending its own dean, developing its own procedures of governance, establishing an independent school-wide personnel committee, and independence in establishing its own curriculum; and

WHEREAS, Under our Faculty Organization Plan, the faculty of schools of the University are entitled to elect their own representatives to the Faculty Senate, and to cooperate with other schools on an equal basis; and

WHEREAS, Two recently established units lack the independent status provided for above (and typical of most schools within universities in this country); and

WHEREAS, Labelling as a "School" educational units that do not meet the well-established criteria of a School is misleading to faculty, students, and the public at large, NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

That the two units currently designated as 'Schools-within-Schools' be properly re-designated as divisions within a School, or, with consultation with the Faculty Senate, be organized into independent schools with all appropriate rights and responsibilities; and

BE IT FURTHER RESOLVED:

That in the future the designation 'School' be applied only to educational units satisfying the conditions of independence specified in the structure of the University.

Executive Committee of the Faculty Senate
March 28, 1997

Adopted April 11, 1997

A RESOLUTION OF APPRECIATION (96/15)

WHEREAS, John Gordon Boswell has earned the respect and affection of the University community; and

WHEREAS, his term of service on the Executive Committee of the Faculty Senate has reached its statutory limit; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

THAT the following citation be issued:

In recognition of his long time commitment and contributions to The George Washington University as a student earning a B.A., M.A., and Ed.D., and during his 35 years as Assistant, Associate, and Full Professor of Education; and

In recognition of his patience, calm and grace in working to resolve the many difficult and complex issues that arise in the academic community; and

Especially in recognition for his eight years of dedicated service to the Faculty Senate, including two years as Chair of the Public Ceremonies Committee, two years as Chair of the University Development and Resources Committee, one year as Co-Chair of Appointment, Salary and Promotion Policies Committee, three years on the Executive Committee; and one year as Chair of the Executive Committee:

THE FACULTY SENATE

OF

THE GEORGE WASHINGTON UNIVERSITY

CITES

JOHN GORDON BOSWELL

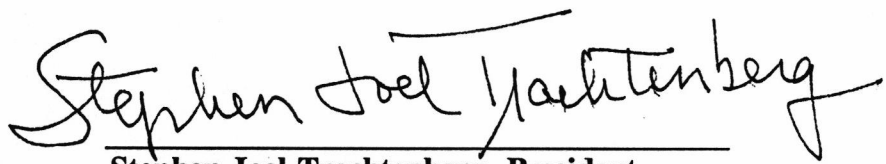
FOR

DISTINGUISHED SERVICE



April 11, 1997

**Adopted by acclamation
April 11, 1997**


Stephen Joel Trachtenberg, President

[Any inquiries about this resolution should be directed to Professor William B. Griffith, Chair, Committee on Appointment, Salary and Promotion Policies, Ext. 46265.]

A RESOLUTION TO AMEND A PREVIOUSLY ADOPTED RESOLUTION (95/2)
ON FACULTY LEAVE (96/2)

WHEREAS, the Faculty Senate on May 4, 1995, adopted Resolution 95/2, A RESOLUTION TO AMEND THE FACULTY CODE WITH RESPECT TO LEAVE, and forwarded it to the President for transmission to the Board of Trustees; and

WHEREAS, in Fall 1995 Interim Vice President Salamon asked the Committee on Appointments, Salary, and Promotion Policies (ASPP), which originated Resolution 95/2, to consider certain revisions of the Resolution, to make it more acceptable to the Administration by clarifying the scope and justification of the authorizations to be inserted into the Faculty Code; and

WHEREAS, the ASPP Committee has considered and now recommends to the Faculty Senate certain amendments to the previously adopted Resolution, as shown in the usual way as modifications of the original text of Resolution 95/2; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

That Resolution 95/2, A RESOLUTION TO AMEND THE FACULTY CODE WITH RESPECT TO LEAVE, is hereby amended by substitution, insertion and deletion, as shown on the text of the original resolution, attached.

Committee on Appointments, Salary, Promotion Policies
April 5, 1996

Adopted May 10, 1996

Approved by Board May 17, 1996

[NOTE: NEW AMENDMENTS TO SENATE RES. 95/2 (as approved by the Faculty Senate in May 1995) are shown in bold type or by striking through existing language.]

A Resolution to Amend the Faculty Code with respect to Leave (95/2)

WHEREAS, under certain circumstances a member of the faculty may have legitimate reasons to request a less-than-full-time leave for **medically-related** or family or other important personal reasons; and

WHEREAS, it may ~~well~~ be in the University's interest to grant a partial leave request, to retain as much as possible of the services of such a faculty member and thereby reduce compensatory shifting of responsibilities; and

WHEREAS, the Faculty Code is currently silent as to whether such a partial leave is permissible, and as to whether, if granted, such a period of partial leave ~~might would~~ qualify as a full personal leave ~~may does~~ for some extension of the probationary period for a tenure-accruing appointment; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

1. That Sec. VI. A of the Faculty Code, "Leave", be amended to read [added language underlined in the text]:

"A. At any time, for study or for any other valid reason, a leave of absence without salary, or a partial leave for family or medically-related purposes with reduced salary, may be granted to a member of the faculty by the appropriate corporate officer."

2. Sec. IV.A. 3.1. (b) (2), "Appointment and Tenure", be amended to read [additional language underlined in the text]:

"2) Leaves for study towards a degree, leaves for military or personal reasons, and defense leave shall not be included in this period. A partial leave for family or medically-related purposes of sufficient duration may justify an appropriate partial extension of the probationary period.

3. The Faculty Senate Committee on Appointments, Salary and Promotion Policy is requested to draw up appropriate implementing criteria and procedures for approval by the Vice President for Academic Affairs and publication in the Faculty Handbook.

Appointments, Salary, and Promotion Policies Committee

FACULTY SENATE
Committee on Appointment, Salary, and Promotion Policies (ASPP)

SPECIAL REPORT

March 25, 1977

1. This special Report accompanies and is intended to explain some of the background of our proposed A RESOLUTION TO CIRCUMSCRIBE LEAVES OF ABSENCE TAKEN IN A CONTIGUOUS SEVEN-YEAR PERIOD (96/12), submitted for consideration by the Faculty Senate.
2. This issue originally arose to prominence last Fall, when the President and the Vice President for Academic Affairs asked the Executive Committee of the Faculty Senate for advice in dealing with a faculty member's request for a Leave of Absence shortly after just having had a Leave of Absence. The current wording of the Faculty Code provides no circumscription of the amount of Leave of Absence that can be taken.
3. A subcommittee of the ASPP gathered information about the practice of other institutions on this question, and determined that the silence of the GW Faculty Code on the issue of circumscribing the amount of Leave of Absence is at variance with the faculty codes at other institutions. The subcommittee also agreed that circumscription was warranted.
4. After receiving (and deliberating upon) the report of the subcommittee, on March 25, 1997, the ASPP Committee agreed that circumscription of the form provided in the associated Resolution was needed, and voted unanimously to forward the accompanying RESOLUTION TO CIRCUMSCRIBE LEAVES OF ABSENCE TAKEN IN A CONTIGUOUS SEVEN-YEAR PERIOD (96/12) for consideration by the Senate.